

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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IN THE MATTER OF COMPLAINT OF
WILMINGTON TUG, INC. AS OWNER OF
"LINDSEY," A 70-FOOT 1989 TOWING VESSEL,
FOR EXONERATION FROM OR LIMITATION OF
LIABILITY
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CIVIL ACTION
IN ADMIRALTY

No. 07-197 JJF

MONITION

THE PRESIDENT OF THE UNITED STATES OF AMERICA TO
THE MARSHAL OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GREETINGS:

WHEREAS, a Complaint was filed in the United States District Court for the District of Delaware by Wilmington Tug, Inc. (hereinafter "Petitioner"), as owner of the "LINDSEY," a certain 70-foot 1989 towing vessel built by Gladding-Hearn Shipbuilding (hereinafter "the Vessel") praying for exoneration from or limitation of liability concerning alleged losses, damages or injuries, done, occasioned by or resulting from an alleged accident which allegedly occurred on or about October 30, 2003, in or near the Delaware River, for the reasons set forth in said Complaint, and praying that monition issue out of the Court notifying all persons claiming alleged damages or losses to appear before the Court and make due proof of their respective claims, and answer the allegations of the Complaint, and if it shall appear that Petitioner is not liable for such alleged losses and damages, it may be so finally adjudged by this Court, and

WHEREAS, Petitioner has alleged that the said Vessel has a value of \$1,200,000.00 after the described incident and that there was no freight pending and the said Court having ordered that a

monition issue against all persons claiming damage for losses caused and occasioned by this incident, notifying them to file their respective claims with the Clerk of the Court and to serve on or mail to attorneys for Petitioner a copy thereof within 45 days of the entry of the Restraining Order, i.e., on or before July 23, 2007.

YOU ARE, THEREFORE, COMMANDED to cite all persons claiming alleged damages for injuries or destruction of property occasioned by said incident to file their respective claims with the Clerk of the Court at J. Caleb Boggs Federal Building, 844 N. King Street, Wilmington, DE 19801 within forty-five (45) days of the entry of this Order, and to serve upon or mail to Palmer Biezup & Henderson LLP, 1223 Foulk Road, Wilmington, DE 19803, attorneys for Petitioner, a copy thereof within 45 days of the entry of the Restraining Order, i.e. on or before July 23, 2007, and you are also commanded to cite such claimants to appear and answer the Complaint filed herein on or before said date or within such further time as the Court may grant.

And what you have done in the premises do you then make return to this Court together with this Writ.

PETER T. DALLEO

Clerk, United States District Court

By: Deborah B. Kuntz
Deputy Clerk

Date: June 7, 2007